

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1. (Currently Amended) A vehicle seatbelt apparatus provided with a winder for winding a seatbelt comprising:

a collision predicting means for predicting unit programmed to predict a collision with an object;

a first winding control means for controlling unit configured to control the winder so as to wind the seatbelt at a first winding load when a collision is predicted by the collision predicting means unit;

a brake detecting means for detecting unit configured to detect operation of a brake pedal; and

a second winding control means for controlling unit configured to control the winder so as to wind the seatbelt at a second winding load which is larger than the first winding load when the brake pedal operation is detected by the brake detecting means unit; and

collision avoidance detecting means for detecting avoidance of the collision with the object and for releasing control of the winder upon detection of the avoidance

a winder release control unit configured to release the seatbelt to move freely responsive to detection of avoidance of the collision with the object while the seatbelt is wound by the first and second winding control units.

2. (Currently Amended) The vehicle seatbelt apparatus according to claim 1, wherein the first winding control ~~means~~ unit is adapted to increase a winding load of the seatbelt by the winder to the first winding load from a moment when the collision is predicted by the collision predicting ~~means~~ unit at a first rising gradient, and the second winding control ~~means~~ unit is adapted to increase a winding load of the seatbelt by the winder to the second winding load from a moment when the brake pedal operation is detected by the emergency brake detecting ~~means~~ unit at a second rising gradient which is larger than the first rising gradient.

3. (Previously presented) The vehicle seatbelt apparatus according to claim 2, wherein the second rising gradient is set to a value equal to or larger than 100 N/100 ms.

4. (Previously Presented) The vehicle seatbelt apparatus according to claim 2, wherein the first rising gradient is set to a value equal to or larger than 100 N/180 ms and smaller than 100 N/100 ms.

5. (Previously Presented) The vehicle seatbelt apparatus according to claim 1, wherein the second winding load is set to a value equal to or larger than 150 N.

6. (Previously Presented) The vehicle seatbelt apparatus according to claim 1, wherein the first winding load is set to a value between 80 N and 120 N inclusive.

7. (Currently Amended) The vehicle seatbelt apparatus according to claim 1, wherein the collision predicting ~~means~~ unit continuously detects a length from the vehicle in question to the object of collision, and predicts the collision with the object of collision based on the detected length which varies with time.

8. (Currently Amended) The vehicle seatbelt apparatus according to claim 1, wherein the brake detecting ~~means~~ unit detects the brake pedal operation based on at least any one of a pressing amount, a pressing speed, and pressing force of the brake pedal and a brake hydraulic pressure.

9. (Currently Amended) A vehicle seatbelt apparatus provided with a winder for winding a seatbelt comprising:

a collision predicting means for predicting unit programmed to predict a collision with an object;

a first winding control means for controlling unit configured to control the winder so as to wind the seatbelt from a moment when the collision is predicted by the collision predicting ~~means~~ unit while increasing the winding load of the seatbelt at a first rising gradient;

a brake detecting means for detecting unit configured to detect a brake pedal operation;

a second winding control means for controlling unit configured to control the winder so as to wind the seatbelt while increasing the winding load of the seatbelt at a

second rising gradient which is larger than the first rising gradient from a moment when the brake pedal operation is detected by the brake detecting ~~means~~ unit; and.

~~collision avoidance detecting means for detecting avoidance of the collision with the object and for releasing control of the winder~~

a winder release control unit configured to release the seatbelt to move freely responsive to detection of avoidance of the collision with the object while the seatbelt is wound by the first and second winding control units.

10. (Previously Presented) The vehicle seatbelt apparatus according to claim 9, wherein the second rising gradient is set to a value equal to or larger than 100 N/100 ms.

11. (Previously Presented) The vehicle seatbelt apparatus according to claim 9, wherein the first rising gradient is set to a value equal to or larger than 100 N/180 ms and smaller than 100 N/100 ms.

12. (Currently Amended) The vehicle seatbelt apparatus according to claim 9, wherein the collision predicting ~~means~~ unit continuously detects a length from the vehicle in question to the object of collision and detects the collision with the object of collision based on the detected length which varies with time.

13. (Currently Amended) The vehicle seatbelt apparatus according to claim 9, wherein the emergency brake detecting ~~means~~ unit detects the brake pedal operation

based on at least any one of a pressing amount, a pressing speed, and pressing force of the brake pedal and a brake hydraulic pressure.

14-18. (Cancelled)

19. (Currently Amended) The vehicle seat apparatus according to claim 1, wherein the collision avoidance detecting means unit releases control of the winder based on at least one of detecting steering operation by a vehicle driver, detecting stopping of the vehicle, and detecting passage of a period of time since operation of the first or second winding control means units greater than a preset period of time.

20. (Currently Amended) The vehicle seat apparatus according to claim 9, wherein the collision avoidance detecting means unit releases control of the winder based on at least one of detecting steering operation by a vehicle driver, detecting stopping of the vehicle, and detecting passage of a period of time since operation of the first or second winding control means units greater than a preset period of time.